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7 Attorney for Defendant  
8 JOSE LOPEZ ZAMORA

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10  
11 UNITED STATES DISTRICT COURT

12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,  
14 Plaintiff,  
15 vs.  
16 JOSE GUADALUPE LOPEZ-ZAMORA,  
17 LEONARDO FLORES BELTRAN,  
18 CHRISTIAN ANTHONY ROMERO,  
19 JOAQUIN ALBERTO SOTELO VALDEZ,  
20 ERIKA GABRIELA ZAMORA ROJO, JOSE  
21 LUIS AGUILAR SAUCEDO, and ROSARIO  
22 ZAMORA ROJO,  
23 Defendants.

24 Case No.: 2:21-cr-007 DAD

25 AMENDED STIPULATION AND  
26 [PROPOSED] ORDER CONTINUING  
27 STATUS CONFERENCE AND  
28 EXCLUDING TIME UNDER THE SPEEDY  
TRIAL ACT

Date: March 28, 2023  
Time: 9:30 a.m.  
Court: Hon. Dale A. Drozd

29 Plaintiff United States of America by and through Assistant United States Attorney David  
30 Spencer, and Attorney Todd Leras on behalf of Defendant Jose Lopez Zamora, Attorney  
31 Christopher Cosca on behalf of Defendant Leonardo Flores Beltran, Attorney Kresta Daly on  
32 behalf of Defendant Christian Romero, Attorney Michael Long on behalf of Defendant Joaquin  
33 ORDER CONTINUING STATUS  
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1 Sotelo Valdez, Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney  
2 Dina Santos on behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of  
3 Defendant Rosario Zamora Rojo, stipulate as follows:

- 4 1. This matter is set for a status conference on March 28, 2023. Defendants move to  
5 continue the status conference to June 27, 2023. A previous version of this  
6 stipulation (ECF Document 438) inadvertently omitted Defendant Leonardo Flores  
7 Beltran. Defendant Flores Beltran joins in the request to continue the status  
8 conference.
- 9 2. This case alleges the existence of a drug distribution conspiracy involving, among  
10 other substances, fentanyl, cocaine, and methamphetamine. The Drug Enforcement  
11 Administration's investigation included controlled purchases of various controlled  
12 substances and the use of Court-authorized wiretaps on telephones associated with the  
13 drug distribution conspiracy, including a phone being used to coordinate deliveries  
14 from Mexico.
- 15 3. This matter was originally assigned to Senior United States District Judge Morrison  
16 C. England, Jr. On November 9, 2021, Chief Judge Mueller reassigned this matter to  
17 United States District Judge John A. Mendez (ECF Entry 226). On March 3, 2022,  
18 the United States filed a Superseding Indictment (ECF Entry 276). The Superseding  
19 Indictment included, among other changes from the original Indictment, expansion of  
20 the date range for the charged conspiracy by approximately one year. It also added a  
21 money laundering conspiracy and heroin distribution charges. On April 19, 2022,  
22 Chief Judge Mueller reassigned the matter to United States District Judge Troy L.  
23

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1 Nunley due to Judge Mendez's change to senior status. (ECF Entry 317).

2 4. On August 5, 2022, Chief Judge Mueller, based on express consideration of the  
3 equitable distribution of caseloads, reassigned this matter to this Court for all future  
4 proceedings. (ECF Entry 357). On October 11, 2022, Attorney Martin Tejeda filed a  
5 Motion to Withdraw as Counsel of Record for Defendant Erika Zamora Rojo (ECF  
6 Entry 382). This Court heard and granted the motion to withdraw on October 25,  
7 2022. (ECF Entry 393). The Court granted a substitution request allowing Attorney  
8 Jennifer Mouzis to represent Defendant Erika Zamora Rojo as appointed counsel in  
9 this matter on December 5, 2022. (ECF Entry 408).

10 5. The discovery in this case is voluminous, consisting of approximately 7,800 pages of  
11 reports, transcripts, photographs, and other materials produced during the  
12 investigation. The intercepted telephone calls alone comprise hundreds of hours of  
13 conversations between various participants in both English and Spanish. On January  
14 19, 2023, this Court approved the appointment of Discovery Coordinating Attorney  
15 John C. Ellis to assist with the discovery materials produced by the government.  
16 (ECF Entry 426). During the first week of March 2023, Mr. Ellis produced to  
17 defense counsel flash drives containing the complete discovery materials produced to  
18 date along with various tools to assist in accessing them. On March 21, 2023, defense  
19 counsel received an email invitation to participate in training to use the tools and  
20 programs needed to access all the discovery materials contained on the flash drives.  
21  
22 The training has not yet been scheduled.

23 6. Defendants Lopez Zamora and Sotelo Valdez are housed at the Wayne Brown  
24

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1 Correctional Facility (WBCF) in Nevada City, California. WBCF is approximately  
2 sixty-five miles from downtown Sacramento. Attorney travel for client visits is  
3 therefore a necessary part of discovery review and defense preparation in this case.  
4  
5 In addition, WBCF restricts attorney use of electronic devices, requiring facility pre-  
6 approval and assignment to a specific visiting area before access to audio and video  
7 evidence during client meetings is permitted. These restrictions complicate review of  
8 recorded portions of the discovery with Mr. Lopez Zamora and Mr. Sotelo Valdez.

9 7. All defense counsel require additional time to continue review of the discovery  
10 materials with their respective clients and to conduct defense investigation stemming  
11 from them.

13 8. Given the continuing defense review of the discovery materials and investigation of  
14 matters related to them, Defendants request to continue the status conference to June  
15 27, 2023. They further move to exclude time between March 28, 2023 and June 27,  
16 2023, inclusive, under Local Code T-4. The government does not oppose the request.

18 9. All defense counsel represent and believe that failure to grant additional time as  
19 requested would deny Defendants the reasonable time necessary for effective  
20 preparation, considering the exercise of due diligence.

21 10. Based on the above-stated facts, Defendants jointly request that the Court find that the  
22 ends of justice served by continuing the case as requested outweigh the best interest  
23 of the public and the Defendants in a trial within the time prescribed by the Speedy  
24 Trial Act.

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11. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et  
seq.*, within which trial must commence, the time period of March 28, 2023 to June  
27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and  
(B) (iv) [Local Code T-4] because it results from a continuance granted by the Court  
at Defendants' request on the basis that the ends of justice served by taking such  
action outweigh the best interest of the public and the Defendants in a speedy trial.

12. Nothing in this stipulation and order shall preclude a finding that other provisions of  
the Speedy Trial Act dictate that additional time periods are excludable from the  
period within which a trial must commence.

12 Assistant U.S. Attorney David Spencer, Attorney Christopher Cosca on behalf of  
13 Defendant Leonardo Flores Beltran, Attorney Kresta Daly on behalf of Defendant Christian  
14 Romero, Attorney Michael Long on behalf of Defendant Joaquin Sotelo Valdez, Attorney  
15 Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney Dina Santos on behalf of  
16 Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of Defendant Rosario  
17 Zamora Rojo, have reviewed this stipulation and proposed order and authorized Todd Leras via  
18 email to sign it on behalf of their respective clients.

20 DATED: March 21, 2023

PHILLIP A. TALBERT  
United States Attorney

22 By /s/ Todd D. Leras for  
23 DAVID SPENCER  
24 Assistant United States Attorney

DATED: March 21, 2023

25 By /s/ Todd D. Leras  
26 TODD D. LERAS  
27 Attorney for Defendant  
28 JOSE LOPEZ ZAMORA

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CONFERENCE

1 DATED: March 22, 2023

2 By /s/ Todd D. Leras for  
3 CHRISTOPHER COSCA  
4 Attorney for Defendant  
5 LEONARDO FLORES BELTRAN

6 DATED: March 21, 2023

7 By /s/ Todd D. Leras for  
8 KRESTA N. DALY,  
9 Attorney for Defendant  
10 CHRISTIAN ROMORO

11 DATED: March 21, 2023

12 By /s/ Todd D. Leras for  
13 MICHAEL D. LONG,  
14 Attorney for Defendant  
15 JOAQUIN SOTELO VALDEZ

16 DATED: March 21, 2023

17 By /s/ Todd D. Leras for  
18 JENNIFER MOUZIS  
19 Attorney for Defendant  
20 ERIKA ZAMORA ROJO

21 DATED: March 21, 2023

22 By /s/ Todd D. Leras for  
23 DINA SANTOS  
24 Attorney for Defendant  
25 JOSE AGUILAR SAUCEDO

26 DATED: March 21, 2023

27 By /s/ Todd D. Leras for  
28 SHARI RUSK  
29 Attorney for Defendant  
30 ROSARIO ZAMORA ROJO

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## ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is  
hereby ordered that the status conference in this matter, scheduled for March 28, 2023, is  
vacated. A new status conference is scheduled for June 27, 2023, at 9:30 a.m. The Court further  
finds, based on the representations of the parties and the request of all defense counsel, that the  
ends of justice served by granting the continuance outweigh the best interests of the public and  
the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. §  
3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into  
consideration the exercise of due diligence for the period from March 28, 2023, up to and  
including June 27, 2023.

IT IS SO ORDERED.

DATED: , 2023

HONORABLE DALE A. DROZD  
UNITED STATES DISTRICT JUDGE

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CONFERENCE